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Attorney for Plaintiff and Counterdefendant  
HUTTON WILKINSON

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TONY DUQUETTE, INC. and  
HUTTON WILKINSON,

Plaintiffs,

vs.

J.CREW GROUP, INC.

Defendant,

No. 11 CV 2665 (RJS)

REPLY TO COUNTERCLAIM

Plaintiff and Counterdefendant HUTTON WILKINSON (“Wilkinson” or “Plaintiff”) hereby replies to the counterclaim asserted by J. Crew Group, Inc. (“Counterclaimant”) as follows:

1. In response to paragraph 1 of the counterclaim, Plaintiff lacks information sufficient to enable it to admit or deny the allegations contained in this paragraph.

2. In response to paragraph 2 of the counterclaim, Plaintiff admits that Wilkinson is an individual but denies that Wilkinson resides in West Hollywood, California.

3. In response to paragraph 3 of the counterclaim, Plaintiff admits the

allegations contained in this paragraph.

4. In response to paragraph 4 of the counterclaim, Plaintiff contends that this paragraph consists entirely of conclusions of law and does not require a response, however to the extent that a response is required, Plaintiff admits that the counterclaim seeks cancellation of the trademark but Plaintiff denies that Counterclaimant is entitled to that relief.

5. In response to paragraph 5 of the counterclaim, Plaintiff contends that this paragraph consists entirely of conclusions of law and does not require a response, however to the extent that a response is required, Plaintiff denies the allegations in their entirety.

6. In response to paragraph 6 of the counterclaim, Plaintiff contends that this paragraph consists entirely of conclusions of law and does not require a response, however to the extent that a response is required, Plaintiff denies the allegations in their entirety.

#### **AFFIRMATIVE DEFENSES TO COUNTERCLAIM**

##### **FIRST DEFENSE**

7. The counterclaim fails to state a claim upon which relief can be granted.

##### **SECOND DEFENSE**

8. The counterclaim is barred as a result of Counterclaimant's unclean hands.

##### **THIRD DEFENSE**

9. The counterclaim is barred because the recovery sought would constitute an unjust enrichment.

##### **FOURTH DEFENSE**

10. Counterclaimant is not entitled to the relief sought because Counterclaimant has not exhausted its administrative remedies.

**WHEREFORE**, Plaintiff denies that Counterclaimant is entitled to any of the relief sought in its prayer and asks that the Court accordingly deny Counterclaimant's claim and its relief sought.

Dated: June 1, 2011

LAW OFFICES OF  
CHARLES TOLBERT

By:                     /s/                      
Charles Tolbert

Attorney for Plaintiffs  
TONY DUQUETTE, INC.  
and HUTTON WILKINSON